



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit: 3727

PHILIP C. HWANG

Examiner: R. Hylton

Serial No.: 10/042,841

Filed: January 9, 2002

For: REUSABLE PRODUCE CRATE WITH DETACHABLE LID (as amended)

Attorney Docket No.: RPC 0505 PUS1 (formerly RPC 0598 PUS)

TRANSMITTAL LETTER

Mail Stop Issue Fee
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed with reference to the above matter are the following documents:

1. Issue Fee Transmittal and check;
2. Substitute Declaration; and
3. Comments on Statement of Reasons for Allowance (MPEP § 1302.14).

The Commissioner is hereby authorized to charge any additional fees to our Deposit Account No. 02-3978.

Respectfully submitted,

PHILIP C. HWANG

By: *Stephanie M. Mansfield*
Stephanie M. Mansfield, Reg. No. 43,773
Attorney/Agent for Applicant

Date: September 3, 2004

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

September 3, 2004
Date of Deposit

Stephanie M. Mansfield
Name of Person Signing

Stephanie M. Mansfield
Signature

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U.S. PATENT & TRADEMARK OFFICE

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE (MPEP § 1302.14)

Mail Stop Issue Fee
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance mailed June 4, 2004, Applicant submits the following comments with respect to the Examiner's Statement of Reasons for Allowance:

The Examiner has indicated that her reasons for allowance are that the claims are allowable over the prior art of record for teaching a crate having a removable lid hinged to the crate body as set forth. Applicant wishes to clarify that each independent claim recites "a lid detachably and pivotally secured to the first side wall." Furthermore, independent claim 1 actually recites a "pivot member sized to receive the lid edge over an outer circumference thereof without requiring deflection of the at least one engaging member."

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Stephanie M. Mansfield
Name of Person Signing

Stephanie M. Mansfield
Signature

Still further, independent claims 22 and 27 do not recite an open and closed position of the lid nor unobstructed removal of the lid as in claim 18. Instead, claim 22 recites that "when the lid moves to a second position approximately 180° from the first position, the at least one engaging member no longer obstructs the pivot member and the lid becomes detachable from the pivot member." Claim 27 recites that "when the lid moves to a second position approximately 180° from the first position, the at least one engaging member is able to move freely past the pivot member to allow the lid to become detachable from the pivot member."

Respectfully submitted,

PHILIP C. HWANG

By *Stephanie M. Mansfield*
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Date: 9-3-04
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